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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION TWO

THE PEOPLE,

Plaintiff and Respondent,

v.

MICHAEL MARTIN CREIGHTON,

Defendant and Appellant.

E071729

(Super.Ct.No. FWV18003659)

OPINION

APPEAL from the Superior Court of San Bernardino County. Michael R. Libutti, Judge. Affirmed.

Eric E. Reynolds, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

FACTUAL AND PROCEDURAL HISTORY

A. PROCEDURAL HISTORY

On October 4, 2018, a felony complaint charged defendant and appellant Michael Martin Creighton with one count of receiving a stolen vehicle under Penal Code section

496. Pursuant to Penal Code section 666.5, the complaint also alleged that defendant was previously convicted of receiving stolen property in 2003.

On October 18, 2018, defendant pled no contest to receiving a stolen vehicle under Penal Code section 496. The parties stipulated that the police reports would form the factual basis for defendant's plea. Thereafter, the trial court sentenced defendant to two years in prison to be served in San Bernardino County under realignment. Moreover, the court imposed a restitution fine and court fees, which the court subsequently ordered stricken.

On December 10, 2018, defendant filed a timely notice of appeal "based on the sentence or other matters occurring after the plea."

B. FACTUAL HISTORY

On October 4, 2018, at around 11:16 a.m., Chino Police Officer Torres saw defendant and a woman asleep in a truck parked in a parking lot. Officer Torres contacted defendant, who was seated in the driver's seat of the truck. Defendant stated that he could not provide a registration for the truck because the truck did not belong to defendant. Defendant stated that his friend "Jason" gave defendant the truck. It was later discovered that the truck had been reported stolen on September 13, 2018.

DISCUSSION

After defendant appealed, and upon his request, this court appointed counsel to represent him. Counsel has filed a brief under the authority of *People v. Wende* (1979) 25 Cal.3d 436 and *Anders v. California* (1967) 386 U.S. 738 setting forth a statement of the case, a summary of the facts, and potential arguable issues, and requesting this court

to undertake a review of the entire record. Pursuant to *Anders*, counsel identified the following issues to assist the court in its search of the record for error:

1. Whether the trial court imposed the correct sentence.

We offered defendant an opportunity to file a personal supplemental brief, but he has not done so. Pursuant to the mandate of *People v. Kelly* (2006) 40 Cal.4th 106, we have independently reviewed the record for potential error, considered the issues listed by appellate counsel, and find no arguable issue for reversal on appeal.

DISPOSITION

The judgment is affirmed.

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MILLER

Acting P. J.

We concur:

CODRINGTON

J.

SLOUGH

J.